IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

TAKEN UP WRIT PETITION NO : 10540 of 2005

Between:

Hasan Abbas, R/o. Karimnagar.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Secretary,
Medical and Health Department, Secretariat, Hyderabad.
2 The District Medical of Health Officer, karimnagar.
3 The Superintendent of Police, Karimnagar District, Karimnagar.

4 The District Collector, Khammam.

(R4 is impleaded as per Court order dated 06-06-2005)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order, direction, or a writ, more particularly one in the nature of Writ of Mandamus to call for records and remarks from the Respondents herein relating to the death of 40 persons due to consumption of drink and due to negligence of doctor Chandra Sekhar, Kaveri Hospital, Sainagar, Karimnagar and who is running an illegal Pharmacy, and to pass appropriate orders directing the concerned authorities to enquire into the matter in the interest of public and to pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:TELEGRAM

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court at the stage of admission made the following :

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ):

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It is alleged in the telegram that due to consumption of drinks, forty persons died in Kaveri Hospital, Sainagar, Karimnagar. Negligence was also attributed to the Doctor who was running the hospital. No details of deaths have been given in the telegram. In the counter-affidavit filed by respondents 1 and 2, it is stated that this hospital has been started on 02-12-2004 and till date only seven deaths have been reported from this hospital and the patients died natural death because of various ailments.

In the absence of any details as to when, how and who died in the hospital and in view of the stand taken by the respondents 1 and 2, it is difficult to believe the allegations of the petitioner.

The writ petition is misconceived, which is accordingly dismissed. No order as to costs.

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(Bilal Nazki, ACJ)

20th June, 2005

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(G.Chandraiah,J)

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To

1 The Secretary, Government of Andhra Pradesh, Medical and

Health Department, Secretariat, Hyderabad.
2 The District Medical and Health Officer, karimnagar.
3 The Superintendent of Police, Karimnagar District, Karimnagar.

4 The District Collector, Khammam.

5 Two C.Cs to the G.P. for Medical, Health and Family Welfare,

High Court Buildings, A.P., Hyderabad (OUT)

6 Two C.D copies.

7 The Section Officer concerned, PIL Cell, High Court Buildings,

A.P., Hyderabad.

8 The Secretary, A.P. State Legal Advisory Board, High Court

Buildings, A.P., Hyderabad

9 The Secretary to Government, Home Department, Secretariat,

Hyderabad.